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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,793	10/21/2003	David J. Monnie	8474.0004	5608
152 7590 06/04/2009 CHERNOFF, VILHAUER, MCCLUNG & STENZEL, LLP 601 SW Second Avenue Suite 1600 PORTLAND, OR 97204-3157				
EXAMINER KAWSAR, ABDULLAH AL				
ART UNIT 2195		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/690,793

Applicant(s)

MONNIE ET AL.

Examiner

ABDULLAH AL KAWSAR

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2009.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-45 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 10 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

1. Claims 1-45 are pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/13/2009 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 31-45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following claim language lack antecedent basis:

- i. Claim 16, line 7 – said object --
- ii. Claim 31, line 6 – said object --

- b. The following claims languages are not clearly understood:

- i. Claim 16, line 15 recites “said object” it is not clear which object is being referred to with this object (i.e. same object as the shared object? Another

object?). Line 12 recites "listener being able to identify" it is unclear what constitute the listener being able to identify an application (i.e. sending a message with the application ID? updating a lock table that represents the shared resource status?).

ii. Claim 31, line 6 recites "said object" it is not clear which object is being referred to with this object (i.e. same object as the shared object? Another object?). Line 10 recites "at least one application running in a virtual machine" it is unclear if it is second application and second virtual other than the application and virtual machine recited in line 6 or a second application running in the virtual machine as of the first application. Line 12 recites "an associated application" it is unclear which application is an associated application (i.e. a second application? same application as of line 6?).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5, 8-10, 12-13, 16-20, 23-25, 27-28, 31-35, 38-40, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorrentino et al.(Sorrentino) US Patent No. 7080060, in view of Garyfalos et al.(Garyfalos) US Patent Publication No. 20050013257, and in view of Veselov(Veselov) US Patent No. 7131120.

7. As per claim 1, Sorrentino teaches the invention substantially as claimed including a computer system for concurrent operation of plural applications, said computer system comprising:

(a) a memory, including a shared object space capable of storing at least one shared object and a listener (col 3, lines 1-4);

(b) a shared object stored in said shared object space and accessible to at least two applications so that at least a first application is capable of causing an event in said object, said first application running in a first machine (figure 2; abstract, lines 5-8); and

(c) a listener attached to said shared object and operably associated with a second application running in a second machine (col 3, lines 41-58).

Sorrentino does not specifically disclose said listener listening for said event and notifying said second application when said first application has caused said event.

However Garyfalos teaches said listener listening for said event and notifying said second application when said first application has caused said event (par. 0029, lines 1-5; par. 0033; par. 0087; par. 0088; par. 0107; par. 0108; par. 0127-0129; par. 0162).

8. It would have been obvious to a person of ordinary skill in art at the time of invention was made to incorporate the teaching of Garyfalos into the method of Sorrentino to have listener listening for event and notifying second application about the event. The modification would have been obvious because one of the ordinary skills of the art would utilize the method of

Garyfalos to notify the application of events of interest if there has been any changes to the state of the object.

Sorrentino does not specifically disclose first application running in a first virtual machine; and shared object and operably associated with a second application running in a second virtual machine.

However Veselov teaches first application running in a first virtual machine (col 4, lines 39-43); and

shared object and operably associated with a second application running in a second virtual machine (col 4, lines 44-48; col 5, lines 1-21).

9. It would have been obvious to a person of ordinary skill in art at the time of invention was made to incorporate the teaching of Veselov into the method of Sorrentino to have application with shared object running in first and second virtual machine and notifying events to all the applications. The modification would have been obvious because one of the ordinary skills of the art would utilize virtual machine application to share resources to have a platform independent application execution.

10. As per claim 2, Sorrentino teaches said listener is located in said shared object space (col 3, lines 1-4).

11. As per claim 3, Veselov teaches at least two applications are capable of causing said event (col 4, lines 33-41).
12. As per claim 4, Sorrentino teaches a second listener located in said shared object space and attached to said shared object (col 7, lines 46-51).
13. As per claim 5, Veselov teaches at least one of said virtual machines is a Java virtual machine (col 4, lines 39-41).
14. As per claim 8, Veselov teaches including a non-object oriented application (col 11, lines 3-5).
15. As per claim 9, Veselov teaches said non-object-oriented application is a C application (col 11, line 6).
16. As per claim 10, Veselov teaches access to said at least one object by said plural applications is synchronized (col 7, lines 53-58).
17. As per claim 12, Veselov teaches at least one object is copy shared among said plural applications (col 7, lines 53-58).

18. As per claim 13, Veselov teaches said at least one object is direct shared among said plural applications (col 6, lines 52-55).

19. As per claim 16, Sorrentino teaches the invention substantially as claimed including a computer system for concurrent operation of plural applications, said computer system comprising:

(a) a memory including a shared object space capable of storing at least one shared object and a listener (col 3, lines 1-4);

(b) a shared object stored in said shared object space and accessible to at least two applications so that at least a first application is capable of causing an event in said object, said first application running in a first machine (figure 2; abstract, lines 5-8); and

(c) a listener attached to said shared object and operably associated with a second application running in a second machine (col 3, lines 41-58); and

Sorrentino does not specifically disclose said listener listening for said event and notifying said second application when said first application has caused said event; and (d) said listener being able to identify which application caused said event.

However Garyfalos teaches said listener listening for said event and notifying said second application when said first application has caused said event (par. 0029, lines 1-5; par. 0033; par. 0087; par. 0088; par. 0107; par. 0108; par. 0127-0129; par. 0162).

(d) said listener being able to identify which application caused said event (par. 0030; par. 0031; par. 0129; par. 0135; par. 0136).

Sorrentino does not specifically disclose first application running in a first virtual machine; shared object and operably associated with a second application running in a second virtual machine; and (d) said listener being able to identify which application caused said event.

However Veselov teaches first application running in a first virtual machine (col 4, lines 39-43);

shared object and operably associated with a second application running in a second virtual machine (col 4, lines 44-48; col 5, lines 1-21); and

(d) said listener being able to identify an application other than said second application as causing said event (col 5, lines 1-12; col 7 lines 53-67 through col 8, lines 1-17).

20. As per claims 17-20, 23-25 and 27-28, they have similar limitations as of claims 2-5, 8-10 and 12-13 above. Therefore they are rejected under the same rational as of claims 2-5, 8-10 and 12-13 above.

21. As per claim 31, Sorrentino teaches the invention substantially as claimed including a computer system for concurrent operation of plural applications, said computer system comprising:

(a) a memory including a shared object space capable of storing at least one shared object and a listener (col 3, lines 1-4);

(b) a shared object stored in said shared object space and accessible to at least two applications so that at least a one application is capable of causing an event in said object, said application running in a machine (figure 2; abstract, lines 5-8);

(c) a listener attached to said shared object and operably associated with a second application running in a second machine, (col 3, lines 41-58); and

Sorrentino does not specifically disclose application running in a machine containing a header capable of containing an identifier of the application that caused said event; said listener listening for said event and notifying an associated application not causing said event of an occurrence of said event; said listener being able to identify from said header an application other than said associated application as an application causing said event.

However Garyfalos teaches application running in a machine containing a header capable of containing an identifier of the application that caused said event (par. 0030-0031; par. 0128-0129; par. 00131-0135)

said listener listening for said event and notifying an associated application not causing said event of an occurrence of said event (par. 0029, lines 1-5; par. 0033; par. 0087; par. 0088; par. 0107; par. 0108; par. 0127-0129; par. 0162);

said listener being able to identify from said header an application other than said associated application as an application causing said event (par. 0030-0031; par. 0128-0129; par. 00131-0135).

Sorrentino does not specifically disclose first application running in a first virtual machine containing a header capable of containing an identifier of the application that caused said event; shared object and operably associated with a second application running in a second virtual machine; said listener listening for said event and said listener being able to identify which application causes said event from said header.

However Veselov teaches first application running in a first virtual machine containing a header capable of containing an identifier of the application that caused said event (col 4, lines 39-43; col 8, lines 6-17; fig. 7, reference 704);

shared object and operably associated with a second application running in a second virtual machine (col 2, lines 24-38; col 4, lines 44-48; col 5, lines 1-21); and

(d) said listener being able to identify from said header an application other than said associated application as an application causing said event (col 2, lines 24-38; col 5, lines 1-21; col 7, lines 59-67 through col 8, lines 1-17; lines 46-65; fig. 7, reference 704;).

22. As per claims 32-35, 38-40, 42 and 43, they have similar limitations as of claims 2-5, 8-10 and 12-13 above. Therefore they are rejected under the same rational as of claims 2-5, 8-10 and 12-13 above.

23. Claims 6, 7, 21, 22, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorrentino et al.(Sorrentino) US Patent No. 7080060, in view of Garyfalos et al.(Garyfalos) US Patent Publication No. 20050013257, and in view of Veselov(Veselov) US Patent No.

7131120, as applied to claims 1, 16 and 31, and in view of DeMaster(DeMaster) US Patent No. 6066181.

24. As per claim 6, Sorrentino and Veselov do not specifically disclose said shared object space is linked to at least one application by a native method interface enabling said application to utilize a method of native to said application in interacting with said shared object.

However, DeMaster teaches shared object space is linked to at least one application by a native method interface enabling said application to utilize a method of native to said application in interacting with said shared object (fig. 1; col 4, lines 3-18).

25. It would have been obvious to a person of ordinary skill in art at the time of invention was made to incorporate the teaching of DeMaster into the combined method of Veselov and Garyfalos, Sorrentino to link the shared space by native method interface. The modification would have been obvious because one of the ordinary skills of the art would have implemented the native method interface to be able to access the shared object from different application language.

26. As per claim 7, DeMaster teaches system includes a default directory with a native library (fig. 1; col 4, lines 3-18).

27. As per claims 21 and 22, they have similar limitations as of claims 6 and 7 above.

Therefore they are rejected under the same rational as of claims 6 and 7 above.

28. As per claims 36 and 37, they have similar limitations as of claims 6 and 7 above.

Therefore they are rejected under the same rational as of claims 6 and 7 above.

29. Claims 11, 14, 15, 26, 29, 30, 41, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorrentino et al.(Sorrentino) US Patent No. 7080060, in view of Garyfalos et al.(Garyfalos) US Patent Publication No. 20050013257, and in view of Veselov(Veselov) US Patent No. 7131120, as applied to claims 1, 16 and 31, and in view of Barinov et al.(Barinov) US Patent Application Publication No. 2004/0025171.

30. As per claim 11, Sorrentino and Veselov do not specifically disclose plural applications implement a stock trading system.

31. However Barinov teaches plural applications implement a stock trading system (page 21, par. 0100).

32. It would have been obvious to a person of ordinary skill in art at the time of invention was made to incorporate the teaching of Barinov into the combined method of Veselov and Garyfalos, Sorrentino to use the application implementation in stock trading system. The

modification would have been obvious because one of the ordinary skills of the art would have implemented the application in stock trading system for better utilization of shared objects.

33. As per claim 14, Barinov teaches a system manager that analyzes information pertaining to the operation of said shared object space (page 3, par. 0039).

34. As per claim 15, Barinov teaches a global name space in said shared object space (page 5, par. 0061).

35. As per claims 26, 29 and 30, they have similar limitations as of claims 11, 14 and 15 above. Therefore they are rejected under the same rational as of claims 11, 14 and 15 above.

36. As per claims 41, 44 and 45, they have similar limitations as of claims 11, 14 and 15 above. Therefore they are rejected under the same rational as of claims 11, 14 and 15 above.

Response to Arguments

37. Applicant's arguments with respect to claim(s) have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDULLAH AL KAWSAR whose telephone number is (571)270-3169. The examiner can normally be reached on 7:30am to 5:00pm, EST.

39. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai T. An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

40. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VAN H NGUYEN/
Primary Examiner, Art Unit 2194

/Abdullah-AI Kawsar/
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